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Toward Restoring the Necess

It was a year ago this month that the first revelations of Central Intelligence Agency dabbling in Chilean politics came out. Since then, more than a quarter-century's worth of skeletons (not to mention exotic weapons) have tumbled from the agency's closet. Today the CIA is the least secret espionage service in the world, and its director, William Colby, the most visible and interrogated master spy in recent history. The agency has been in hot water before, of course. But unlike the uproar that followed the Bay of Pigs fiasco in 1961, the current controversy threatens the very existence of the CIA.

The CIA has lost, perhaps forever, the special dispensation that it was allowed by many Americans and their elected representatives for the first 27 years of its existence. Few people today accept unquestioningly the notion that clandestine foreign operatives are a necessary evil. Even fewer would unblinkingly buy the assurance voiced by former CIA Director Richard Helms: "The nation must to a degree take it on faith that we, too, are honorable men devoted to her service." Almost daily, newspaper editorials, legislators and some presidential hopefuls characterize the CIA as a wasteful anachronism at best, an international menace and national disgrace at worst. This month populist Candidate Fred Harris drew cheers from an audience of Democrats in Minneapolis when he proclaimed, "We've got to dismantle the monster!"

In light of the reports of the commissions headed by former Under Secretary of State Robert Murphy and Vice President Nelson Rockefeller, released in June, and of the recommendations that will be forthcoming (probably next February or March) from the Senate committee headed by Democrat Frank Church and also from Democratic Congressman Otis Pike's House Select Committee, there is no danger that the agency will escape long-overdue reforms. The real danger is that all this intensive scrutiny will lead to ill-conceived corrective measures that could damage the CIA. The legitimate and vital functions of the CIA have already suffered severely. (TIME, Aug. 4). So has morale. "Until this becomes a truly secret agency again," said a high CIA official last week, "a lot of our people are not going to be able to do their jobs." Thus the challenge to Congress is not how to pull the agency apart but how to put it back together. Few critics have questioned the CIA's intelligence-gathering activities; they zero in on the agency's covert activities, which should be defined and controlled but which cannot be abandoned altogether.

Part of the problem has been that the assorted Washington hearings on the CIA have concentrated too narrowly on specific horror stories, which have led many Americans to regard the agency as a bureaucratic Frankenstein's monster that has run amuck both at home and abroad. This is a simplistic and unfair impression. Considering the size of the agency (an estimated 20,000 employees operating on a budget that may be as big as $6 billion a year) and the enormous volume of activities it has been called upon to perform in its 27-year history, the provable instances of malfeasance are comparatively few. Moreover, the CIA to some extent was a victim of historical circumstance. When the Chile story broke last year, the military and foreign policy establishments had met their Viet Nam. The presidency had met its Watergate. Congress was reasserting itself. The CIA was the obvious next candidate for scrutiny.

In the welter of publicity that followed the Chile revelations, much of the evidence confirmed that the CIA had indeed time to time violated its Americans, not to mentic olations can be blamed some CIA operatives, espe tion specialists. Many o abuses. For example, tl anti-Viet Nam War mov sessive suspicion that Co: of the opposition to his A why you can't find out a hind those war protester 1967. The CIA was just or Richard Nixon tried to st assistance to the plumbe Ellsberg's psychiatrist, it later sidestepped White House ploys aimed at involving it in Watergate. Partly as a result, Nixon replaced Helms in 1972.

If Presidents have misused and abused the CIA, Congress has ducked its responsibility to supervise the operations and activities of the agency. So far, there has been relatively little evidence proving that the CIA acted without presidential authorization. On the other hand, there is much to indicate that it bypassed congressional oversight—largely because Congress did not want to be bothered, or was embarrassed by supervising its activities, particularly the agency's covert operations.

What then should be done? Gerald Ford has indicated his determination to supervise the CIA closely. Legally he has to: Congress last year attached an amendment to the Foreign Assistance Act requiring that the President personally "certify" all foreign covert actions. A case can be made that this law should be repealed. The President of the U.S. is now the only head of state of a major power who is not insulated from public responsibility for a clandestine operation should it be exposed.

To help protect the presidency, and perhaps to restore a sense of checks and balances in the field of intelligence, Congress should establish a joint Senate-House oversight committee that would replace the four congressional units that have so inadequately watched over the CIA in the past. Indeed a similar proposal was made by the Rockefeller commission in its report to the President. The committee membership should rotate in order to avoid the past situation, which allowed the agency to mount covert operations abroad—and counter-intelligence activities at home—with the passive, usually *ex post facto* blessing of a few old reliable friends in the legislature. Presumably, the agency might also find it more efficient and secure to report to one committee of Congress rather than four.

The new committee should be empowered to approve—or disapprove—in advance any major clandestine activity by the CIA, like the army of Laotian tribesmen supported by the agency from 1962 until 1973. The Constitution's provision that Congress alone has the right to make war should extend to small, secret wars as well as large ones. Covert armed intervention in the domestic affairs of other countries, apart from being expensive and often ineffective, has fostered worldwide suspicions that the U.S. is behind nearly every political upheaval that conforms to American interests. More congressional supervision might reduce the number of such operations and reduce those suspicions—though there is no guarantee of either result. On the other hand, the President probably should be allowed some leeway to

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